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**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Oswald KUWERT et al.

Group Art Unit: 2834

Application No.: 09/487,803

Examiner: T. Lam

Filed: January 20, 2000

Docket No.: 105273

For: A SPINDLE MOTOR FOR DISK DRIVING DEVICE

REQUEST FOR RECONSIDERATION

Director of the U.S. Patent and Trademark Office  
Washington, D.C. 20231

Sir:

In reply to the Office Action mailed November 22, 2000, the period for reply extended by a one-month petition for extension of time to March 22, 2001, reconsideration is respectfully requested. Claims 1-7 are pending.

Claims 1-2 were rejected under 35 U.S.C. 102(b) by Nigam, U.S. Patent No. 5,675,452. The rejection is respectfully traversed.

Applicants assert that Nigam fails to disclose a spindle motor with a housing unitarily made of resin or a stator held by and fixed to the housing.

Nigam discloses a thin data storage device wherein a top and bottom cover 31,32 of a drive can be made from either metal or plastic injection molding (col. 17, line 62-66). In the case of a plastic housing, a metallic mesh can be attached to the surfaces of the undersides of these covers to provide a RF shield. This mesh can also be "insert molded" into the plastic for additional rigidity along with electric shielding.

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Nigam fails to disclose the Applicants' claimed invention because the housing of Nigam is made of two separate portions, a top cover 31 and a bottom cover 32. Conversely, Applicants' housing is unitarily formed and obtained as a single unit by injection molding.

Furthermore, Nigam also fails to disclose Applicants' claimed invention because the stator 18 of the motor, in Nigam, is mounted onto the printed circuit board 3, which contains electrical circuits 4, to drive the disks 20, at a prescribed rotational speed (col. 7, lines 30-34). Conversely, Applicant's stator is held by and fixed to the housing and not fixed the circuit board as disclosed by Nigam. In addition, claim 2 recites additional features of the invention and is also believed to be allowable at least for the same reasons discussed above with respect to claim 1 and for the additional features found therein. It is respectfully requested that the rejection be withdrawn.

Claims 3 and 5 were rejected under 35 U.S.C. 103(a) over Nigam in view of Nakagawa, U.S. Patent No. 5,120,091. The rejection is respectfully traversed.

Nakagawa fails to overcome the deficiencies of Nigam, or the additional features found in claims 3 and 5, because Nakagawa is an oil impregnated sintered bearing which is used for a spindle motor.

Applicants claim a conventional rigid ball bearing with a spacer which is integrally molded in a unitary manner with a housing fitting between bearings to reduce manufacturing costs. Conversely, Nakagawa only discloses molded bearings and not the conventional rigid ball bearings. It is respectfully requested that the rejection be withdrawn.

Claims 4 and 6-7 were rejected under 35 U.S.C. 103 (a) over Nigam in view of Fukaya U.S. Patent No. 5,057,732. The rejection is respectfully traversed.

Although Fukaya discloses a housing 32 and an electric connector molded in unitary, Fukaya fails to overcome the deficiencies of Nigam as applied to claim 1. It is respectfully requested that the rejection be withdrawn.

In view of the foregoing, reconsideration of the application is requested. It is submitted that the claims as presented herein patentably distinguish over the applied references and fully meets the requirements of 35 U.S.C. 112. Accordingly, allowance of claims 1-7 is respectfully solicited.

Should the Examiner believe anything further is desirable to place the application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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JAO:SMS/fpw

Date: March 22, 2001

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